



PATENT  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
 )  
Ian Duncan RUBIN et al. ) Group Art Unit: 1614  
 )  
Application No.: 09/891,615 ) Examiner: Unassigned  
 )  
Filed: June 27, 2001 )  
 )  
For: EXTRACTS COMPOUNDS & )  
 )  
PHARMACEUTICAL COMPOSITIONS )  
 )  
HAVING ANTI-DIABETIC ACTIVITY AND )  
THEIR USE )

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(b)**

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are enclosed. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

Applicants would also like to bring to the Examiner's attention the following applications with a common assignee and request consideration of the applications and any and all references therein:

Application No.  
09/402,962

Filing Date  
CPA filed 11/1/2001  
(national stage of WO 98/46243)

09/691,582

10/18/2000  
(Gastric Acid Secretion)

A copy of the applications were enclosed with the Information Disclosure Statement filed on January 28, 2002.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies the documents as "prior art" against any claim in the application and Applicants determine that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Dated: March 12, 2002

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



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PTO Form 1449

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## FOREIGN PATENT DOCUMENTS

[illegible]

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

[illegible]**Date Considered**

**Examiner:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication.